

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

SYLVESTER TERRY,

Plaintiff,

v.

Case 2:13-cv-02121-SHL-cgc

**SHELBY COUNTY GOVERNMENT
FIRE DEPARTMENT,**

Defendant.

ORDER TO FILE EXCERPTS OF PLAINTIFF'S DEPOSITION

On May 9, 2014, Defendant filed its Statement of Undisputed Material Facts in Support of its Motion for Summary Judgment. (Docket Entry "D.E." #33-1). Part (b) of Defendant's Statement of Undisputed Material Facts, as set forth in paragraphs 51-69 therein, cites to "excerpts from the deposition of Sylvester Terry taken on February 25, 2014." While the Statement of Undisputed Material Facts summarizes the purported content of Plaintiff's deposition transcript excerpts and contains citations to the page and line of the deposition transcript experts, the Court cannot locate in the record the filing of these depositions transcript excerpts.

Accordingly, Defendant is hereby ORDERED to file all excerpts to Plaintiff's deposition that it cites to and relies upon in its Statement of Undisputed Material Facts by Friday, August 15, at 5:00 p.m. Failure to do so will result in the Court disregarding Part (b) of Defendant's Statement of Undisputed Material Facts in its consideration of Defendant's Motion for Summary Judgment.

IT IS SO ORDERED this 12th day of August, 2014.

s/ Charmiane G. Claxton
CHARMIANE G. CLAXTON
UNITED STATES MAGISTRATE JUDGE